

OK 3549

DEC 6 1984

Mr. James A. Pierret
Fansteel Metals
10 Tantalum Place
Muskogee, Oklahoma 74401

Re: Fansteel Metals Monitoring Wells

Dear Mr. Pierret:

The U.S. Environmental Protection Agency (EPA) has a statutory mandate to protect public health and the environment from the adverse effect of hazardous wastes and substances. Pursuant to Section 3007 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. 6927, and Section 104(e)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C. 9604(e)(1), any person who generates, stores, treats, transports or otherwise handles or has handled hazardous wastes or hazardous substances shall, upon request of any officer or employee of EPA, furnish information relating to such wastes. The term "hazardous wastes" is defined in Section 1004(5) of RCRA, 42 U.S.C. 6905(5) and includes those substances listed at 40 CFR Part 261. The term "hazardous substances" is defined in Section 101(14) of CERCLA 42 U.S.C. 9601.

This office has been investigating possible sources of hazardous substances disposed of at the Fansteel Metals site. Accordingly, you are hereby requested to provide in writing, within thirty (30) days of your receipt of this letter, the following information:

1. On a map of the Fansteel Metals facility show the locations of the twelve (12) on-site monitoring wells.
2. Forward any and all monitoring well data for the 12 on-site wells, that has previously been collected and analyzed.

For the above questions, please describe the types of documents that were maintained by your company site including the date of the documents, the author of the documents, the current location of the documents and their current custodian. Pursuant to Section 103 of CERCLA, it is unlawful for any person knowingly to destroy, mutilate, erase, dispose of, conceal, or otherwise render unavailable or unreadable or falsify any documents.



As used herein, the term "documents" means writings (handwritten, typed, or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, correspondence, offers, contracts, agreements, manifests, licenses, permits, bids, proposals, policies of insurance, logs, minutes of meetings, memoranda, notes, calendar or diary entries, charts, maps, photographs, drawings, manuals, reports of analysis, analytical worksheets, chromatographs, studies, reports of scientific study or investigation, telegrams, teletypes, magnetic tapes, punch cards, recording disks, computer printouts or other data compilations from which information can be obtained or translated.

EPA regulations governing confidentiality of business information are set forth in Part 2, Subpart B of Title 40 of the Code of Federal Regulations. For any portion of the information submitted which is entitled to confidential treatment, please assert a confidentiality claim in accordance with 40 CFR §2.203(b). If EPA determines that the information so designated meets the criteria set forth in 40 CFR §2.208, the information will be disclosed only to the extent, and by means of the procedures, specified in 40 CFR Part 2, Subpart B. EPA will construe the failure to furnish a confidentiality claim with your response to this letter as a waiver of that claim, and information may be made available to the public by EPA without further notice.

This letter is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 et seq.

If you have any questions regarding this request, please contact Martha McKee, (6AW-SC), U.S. Environmental Protection Agency, 1201 Elm Street Dallas, Texas 75270. telephone (214) 767-4075. Please direct your response to Ms. McKee's attention.

Sincerely yours,

Allyn M. Davis, Director
Air and Waste Management Division

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